

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HEIDI A. BAER,

Plaintiff,

v.

NATIONAL BOARD OF MEDICAL
EXAMINERS,

Defendant.

CIVIL ACTION NO. 05-10724-GAO

AFFIDAVIT OF ATTORNEY JAMES M. NICHOLAS, ESQ.

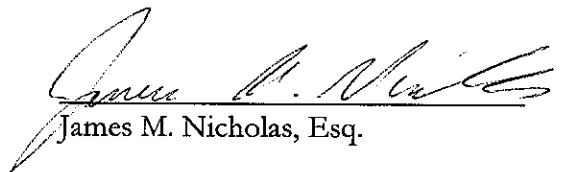
I, James M. Nicholas, do hereby depose and state as follows on the basis of my personal knowledge:

1. I am a member in good standing of the bar of the Commonwealth of Massachusetts, and a member of the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC, One Financial Center, Boston, Massachusetts.

2. I, along with Carolyn A. Wiesenbahn and Bret A. Cohen, represent Plaintiff Heidi A. Baer ("Plaintiff") in the above-captioned matter.

3. I certify that those documents attached as Exhibit A through Exhibit U to the Plaintiff's Verified Complaint and Request for Injunctive Relief filed in the above-captioned litigation, are true and accurate copies of the same.

Signed under the penalties of perjury this 21st day of April, 2005.


James M. Nicholas, Esq.